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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RACHEL GORE, individually as heir of
BRANDON DURHAM, deceased, and in
her capacity as the Administrator of The
Estate of BRANDON DURHAM, and
ISABELLA DURHAM, a minor and heir to
BRANDON DURHAM,

Plaintiffs,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a political subdivision of
the State of Nevada; ALEXANDER
BOOKMAN, individually and in his
official capacity as a Police Officer,
employed by Las Vegas Metropolitan
Police Department; DOES I–X, inclusive,
and ROE ENTITIES I–X, inclusive,

Defendants.

Case No.: 2:25-cv-00619-GMN-DJA

**Stipulation and ~~Proposed~~ Order to
Limit Discovery as to Defendant Officer
Alexander Bookman**

As amended on page 4

Plaintiffs Isabella Durham, Rachel Gore, and the Estate of Brandon Durham, through
their counsel, Lee Merritt & Associates, Karchmar & Lambert, P.C., and F. Travis Buchanan,
Esq., and Associates, PLLC, Defendant Las Vegas Metropolitan Police Department (LVMPD),
through its counsel, Marquis Aurbach, and Defendant Officer Alexander Bookman (Ofc. Book-
man), through his counsel, the McNutt Law Firm, hereby stipulate and agree as follows:

1 A. **Whereas** the Plaintiffs filed their Complaint against LVMPD and Ofc. Bookman
2 on April 7, 2025, and asserted claims against Ofc. Bookman for (i) excessive force under the
3 Fourth Amendment (Dkt. 1, ¶¶ 46–56); (ii) loss of familial association under the Fourteenth
4 Amendment (*Id.* ¶¶ 72–83); (iii) violations of the Nevada Constitution (*Id.* ¶¶ 84–100); (iv)
5 assault and battery, wrongful death, and survivorship (*Id.* ¶¶ 101–110); (v) intentional or neg-
6 ligent infliction of emotional distress, wrongful death, and survivorship (*Id.* ¶¶ 111–121); and
7 (vi) negligence, wrongful death, and survivorship (*Id.* ¶¶ 122–132).

8 B. **Whereas** Ofc. Bookman answered the Complaint on June 23, 2025. (Dkt. 22.)

9 C. **Whereas** each of the Plaintiffs’ claims for relief against Ofc. Bookman arises
10 from the death of decedent Brandon Durham.

11 D. **Whereas** the Clark County District Attorney is conducting grand jury proceed-
12 ings regarding a possible indictment of Ofc. Bookman concerning Brandon Durham’s death
13 (hereinafter, the Parallel Criminal Proceedings). The Parallel Criminal Proceedings involve
14 substantially similar facts and circumstances that are at issue here. Should Ofc. Bookman be
15 indicted, his Fifth Amendment privilege against self-incrimination would be directly impli-
16 cated.

17 E. **Whereas** this Court has the authority to limit discovery directed to Ofc. Bookman
18 to protect his Fifth Amendment privilege while allowing the case to proceed. *See, e.g., Farmer*
19 *v. Las Vegas Metro. Police Dep’t*, No. 2:18-CV-00860-GMN-VCF, 2018 WL 5726187, at *5
20 (D. Nev. Oct. 31, 2018); *see also Moreno v. Cnty. of Los Angeles*, 2023 WL 8165517, at *6
21 (C.D. Cal. Apr. 20, 2023); *Petrov v. Alameda Cnty.*, 2016 WL 6563355, at *7 (N.D. Cal. Nov.
22 4, 2016); *Est. of Lopez v. Suhr*, 2016 WL 1639547, at *4 (N.D. Cal. Apr. 26, 2016); *Stoddard-*
23 *Nunez v. City of Hayward*, 2013 WL 6776189, at *6 (N.D. Cal. Dec. 23, 2013).

24 **Wherefore**, the Parties stipulate and agree as follows:

25 1. Ofc. Bookman shall not have to respond to written discovery until the resolution
26 of the Parallel Criminal Proceedings. The Parallel Criminal Proceedings will be deemed “re-
27 solved” if the grand jury returns a No Bill or alternatively when either charges brought are
28 dismissed with prejudice or judgment and sentencing have concluded after a trial or plea

1 agreement.

2 2. Ofc. Bookman shall not be deposed or interviewed until the resolution of the
3 Parallel Criminal Proceedings.

4 3. Ofc. Bookman shall not have to disclose witnesses, including expert witnesses,
5 until the resolution of the Parallel Criminal Proceedings. Should Ofc. Bookman ultimately
6 make such disclosures, Plaintiffs will be provided a reasonable opportunity (as defined by this
7 Court) to conduct discovery and/or retain rebuttal witnesses, including rebuttal expert wit-
8 nesses, thereafter.

9 4. Counsel for Ofc. Bookman agrees to participate in all other discovery and pretrial
10 motion practice and proceedings.

11 5. The Parties also agree that this matter cannot proceed to trial against Ofc. Book-
12 man until the resolution of the Parallel Criminal Proceedings.

13 6. The public's interest is best served by ensuring that both the civil and criminal
14 proceedings are accomplished fully, completely, and with justice done to all the parties.

15 7. The Parties' stipulation to limit discovery as to Ofc. Bookman is brought in good
16 faith, is not interposed for delay, and is not filed for an improper purpose.

17 *(continued on the next page)*
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8. Nothing in this stipulation prohibits Bookman from petitioning the court for extended or additional protection should the need arise. The Parties reserve all rights.

IT IS SO STIPULATED.

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IT IS THEREFORE ORDERED that the parties' stipulation (ECF No. 30) is GRANTED.

It IS FURTHER ORDERED that, within thirty days after the Parallel Criminal Proceeding is resolved, the parties must file a stipulation informing the Court of the proceeding's resolution and adjusting any necessary discovery deadlines.


DANIEL J. ALBREGTS

UNITED STATES MAGISTRATE JUDGE

DATED: July 18, 2025